

**IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH
AT HYDERABAD**

**THE HON'BLE SRI JUSTICE RAMESH
RANGANATHAN**

**Writ Petition No.15360 of 1997
DATED 8-2-2007**

BETWEEN

Maredi Srinivas and 8 others.

..

Petitioners

And

The Zonal Manager,
South Central Zonal Office,
LIC of India,
Saifabad, Hyderabad and 2 others.

.. Respondents

**THE HONOURABLE SRI JUSTICE RAMESH
RANGANATHAN**

WRIT PETITION NO.15360 of 1997

ORDER:

Petitioners are all post graduates/graduates with typewriting qualification and have been working with the respondent - Life Insurance Corporation of India(L.I.C). They approached this Court earlier seeking regularization of their services and this Court, by orders in each of the individual writ petitions filed by the petitioners herein, held that the petitioners had

to make way in favour of a person who was recruited in accordance with the Rules and the Scheme framed by the Corporation pursuant to the directions of the Supreme Court.

The petitioners were also permitted to participate in the selection process. Having failed they have approached this Court again alleging discrimination on the ground that around 13 persons, with intermediate qualification and a pass in the typewriting examination, were appointed as Assistants and Typists in the L.I.C. According to the petitioners, since they possess higher qualifications than these 13 persons, they are entitled to be similarly treated and to have their services regularized.

In the counter affidavit filed on behalf of the respondents, it is stated that, in pursuance of the National Policy on Education, 1986 the Central Board of Secondary Education and the LIC had decided to collaborate on a scheme for the introduction of a vocational course in Life Insurance at the + 2 stage so as to fulfil the commitment towards the national policy on education for i) promoting vocational education in the country, ii) delinking degrees from jobs, iii) taking life insurance to schools and iv) meeting the trained manpower needs of the Corporation. It is stated that the scheme envisages selection of a few schools in the country which will impart education and training in life

insurance and related subjects at the +2 level and that the two year vocational course consists of English, Economics or Business Studies or Mathematics and Compulsory vocational subjects of (i) Principles and Practice of Life Insurance (ii) Computers & life Insurance Administration and that those who come out successfully in the course with certain grades were to be engaged as apprentices for a minimum period of 12 months in the Corporation and those who pass +2 level in the Life insurance stream with grades B2+ and above were exempted from the pre-recruitment test prescribed under the recruitment instructions for appointment to the post of Assistants. It is further stated that those who had passed the vocational course with Grade C1 and C2 were allowed to appear at the pre-recruitment test along with other eligible candidates and, after successful completion of apprenticeship, the apprentices were required to be considered for appointment in the regular course. According to the respondents, this source of recruitment is based on policy decisions taken by the Government of India in collaboration with the Corporation.

The grievance of the petitioners, as vehemently put across by Sri M.Surender Rao, learned counsel for the petitioners, is that while they possess higher educational qualifications and fulfil the eligibility criteria prescribed under the statutory regulations,

persons with lesser qualification have been appointed without subjecting them to a recruitment test on the basis of some policy, which does not form part of the statutory regulations. Learned counsel would submit that the petitioners, being better qualified than these 13 candidates, were entitled to have their services regularized.

It is necessary to note that none of these 13 candidates are parties to the present writ petition. In the absence of their being arrayed as respondents herein, it is not for this Court to examine as to whether their appointment to the posts of Assistants/Typists in the Life Insurance Corporation, in accordance with the National Policy on Education, 1986, runs contrary to the statutory regulations or not. Even if it were to be assumed that the appointment of these 13 persons is contrary to the statutory regulations, the mere fact that they were so appointed would not confer any right on the petitioners herein to claim parity since it is well settled that no Mandamus can be sought for from this Court to perpetuate an illegality. (**Chandigarh Administration v. Jagjit Singh**^[11]). Further, as held by the Constitution Bench of the Supreme Court in **Secretary, State of Karnataka and others v. Umadevi**^[12], no mandamus can be issued directing regularisation of the petitioners herein. The very fact that the petitioners had approached this Court earlier,

had failed to obtain the relief and were only permitted to continue till regularly selected candidates were appointed would also go against them.

The writ petition fails and is accordingly dismissed. However, in the circumstances, without costs.

RAMESH RANGANATHAN,J

Dt: 8.2.2007
msv.

[\[1\]](#) AIR 1995 SC 705

[\[2\]](#) (2006) 4 SCC 1